



HOWARD COUNTY HISTORIC PRESERVATION COMMISSION

ELlicott City Historic District ■ LAWYERS HILL Historic District

3430 Court House Drive ■ Ellicott City, Maryland 21043

Administered by the Department of Planning and Zoning

VOICE 410-313-2350

FAX 410-313-3042

September Minutes

Thursday, September 6, 2018; 7:00 p.m.

The September meeting of the Historic Preservation Commission was held on Thursday, September 6, 2018 in the Banneker room located at 3430 Court House Drive, Ellicott City, MD 21043. Ms. Tennor moved to approve the June minutes. Mr. Roth seconded. The motion was unanimously approved.

Members present: Allan Shad, Chair; Eileen Tennor, Vice-Chair; Drew Roth, Secretary; Erica Zoren; Bruno Reich

Staff present: Beth Burgess, Samantha Holmes, Renee Novak, Lewis Taylor, Lisa Kenney

OTHER BUSINESS

1. Ellicott City Design Guidelines Update

PLANS FOR APPROVAL & ADVISORY COMMENTS

Consent Agenda

1. HPC-17-29c – 4730 Sheppard Lane, Ellicott City, HO-907

Regular Agenda

2. HPC-18-41 – 6195 Lawyers Hill Road, Elkridge, HO-749
3. HPC-18-42 – 8086 Main Street, Ellicott City
4. HPC-18-43 – 15081 Roxbury Road, Glenelg, HO-123
5. HPC-18-44 – Parking Lot D, Ellicott City
6. HPC-18-45 – Multiple Properties in the Ellicott City Historic District, Ellicott City
7. HPC-18-46 – Multiple Properties in the Ellicott City Historic District, Ellicott City
8. HPC-18-47 – 8390 Main Street and Ellicott Mills Drive right of way, Ellicott City

OTHER BUSINESS

Ellicott City Design Guidelines Update

- At the September 6, 2018 HPC meeting, we will be seeking public comment on Chapter 11 from the [existing Design Guidelines](#).
- To help guide you in reviewing these chapters, please consider if there are items that need clarification, better definitions or if there are missing subject matters.

CONSENT AGENDA

HPC-17-29c – 4730 Sheppard Lane, Ellicott City, HO-907

Final tax credit approval.

Applicant: Daniel J. Standish

Background & Scope of Work: This property is listed on the Historic Sites Inventory as HO-907. The Applicant was pre-approved for tax credits on May 4, 2017 for the installation of a high velocity, non-intrusive air conditioning system for the house. The Applicant has submitted documentation that \$61,927.00 was spent on eligible, pre-approved work. The Applicant seeks \$15,481.75 in final tax credits.

Staff Comments: The work complies with that pre-approved and the invoice and checks add up to the requested amount.

Staff Recommendation: Staff recommends approval as submitted for \$15,481.75 in final tax credits.

Testimony: Mr. Shad asked if anyone in the audience wished to present testimony. There was no one in the audience who wanted to testify.

Motion: Mr. Roth moved to approve. Mr. Reich seconded. The motion was unanimously approved.

REGULAR AGENDA

HPC-18-41 – 6195 Lawyers Hill Road, Elkridge, HO-749

Tax credit pre-approval for exterior repairs.

Applicant: David Errera

Background & Scope of Work: This property is located in the Lawyers Hill Historic District and is listed on the Historic Sites Inventory as HO-749. According to the Historic Sites Inventory form, the building dates to approximately 1927. A tree fell onto the house a few weeks ago and the Applicant proposes to make the following repairs and seeks tax credit pre-approval for the work:

- 1) Repair structural damage to the roof, including rafters, trusses, decking and other structural components that were damaged.

- 2) Install new plywood over entire roof. Replace entire roof covering, including felt underlayment and all shingles. Roof shingles to be replaced in-kind using, Owens Corning Berkshire shingles in Manchester Gray.
- 3) Replace damaged roof vent pipes.
- 4) Replace damaged cedar siding (shingles) with new cedar shingles painted white to match the existing.
- 5) Replace gable vent.
- 6) Repaint exterior left side of house.
- 7) Replace all existing k-style gutters and downspouts in the same white color and style to match the existing.
- 8) Replace damaged aluminum storm window with a new window to match the existing. Repair window molding.
- 9) Remove damaged awning. Replace all awnings in the same color back and same size as the existing.
- 10) Repair structural damage to wall in basement. The exact method of repair has not yet been determined.

The following items describe the damage to the interior of the home:

- 1) Remove and replace water damaged plaster walls and ceiling in the 2nd floor bathroom, 2nd floor hallway, master bedroom and middle bedroom and living room.
- 2) Repaint living room, master bedroom, middle bedroom, 2nd floor hallway and bathroom.
- 3) Replace ceramic tile floor in bathroom.
- 4) Reglaze 2nd floor bathtub.
- 5) Water damaged attic insulation has been removed. Remove remaining attic insulation that was not water damaged. Replace all attic insulation.
- 6) Inspect and repair and water damage to electrical components in the attic.



Figure 1 - Front view of tree damage



Figure 2 - Rear and side view of damage

Staff Comments: The repairs to the house will be in-kind, restoring the house to its condition prior to the tree falling and are considered Routine Maintenance, “repair or replacement of roofs, gutters, siding, external doors and windows, trim, lights and other appurtenant fixtures using the same materials and design” and “painting previously painted surfaces using the same color.” These repairs comply with Section 20.112 of the County Code and are eligible for tax credits. If the Applicant wanted to change the gutter style to half round, which is more historically appropriate, that would be eligible for tax credits. However, as the K-style was existing, there are no issues with replacing in-kind.

The Applicant also provided a description of the interior repairs needed and Staff finds Items #1 and #6 would also qualify for tax credit under the Section 20.112 criteria, “Work that is necessary to maintain the physical integrity of the structure with regard to safety, durability, or weatherproofing”

Staff Recommendation: Staff recommends tax credit pre-approval for exterior items #1-8, and #10 (excluding the awning, #9, which is not a historic building feature) and interior items #1 and #6.

Testimony: Mr. Shad swore in David Errera. Mr. Shad asked if there were any additions or corrections to the Staff comments or application. Mr. Errera asked about the rationale for not including interior items 1-6 in the tax credit pre-approval recommendation. Ms. Holmes explained that interior finish work does not qualify for tax credits. Mr. Errera asked if the new insulation would qualify. Ms. Holmes said work that protects the integrity of the structure in regards to durability, weatherproofing or safety could qualify and the Commission could make that determination. Mr. Reich asked if the Commissioners agreed with including the insulation. They agreed.

Mr. Errera mentioned the crack in the basement wall, which he does not currently have repair plans for. Ms. Holmes said that if the repair is in-kind and doesn’t change the appearance, it may qualify. If there are any changes, then an application should be submitted.

Motion: Mr. Reich moved to approve items 1-8 and interior items 1, 5 and 6. Ms. Tennor seconded. The motion was unanimously approved.

HPC-18-42 – 8086 Main Street, Ellicott City

Certificate of Approval for sign.

Applicant: John Eckenrode

Background & Scope of Work: This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1890. The Applicant seeks approval to install one projecting sign on the exterior of the building, most likely using the existing black metal bracket on the building. If re-use of the existing bracket is not possible, the Applicant will use the scroll bracket shown on the sign picture included in the application packet.

The proposed sign will be 24 inches high by 24 inches wide for a total of 4 square feet. The sign will be constructed out of ½ inch thick MDO wood with a double sided digital print overlay. The sign will have a white background with black text and a yellow smiley face graphic and a dark pink graphic of feet. The sign will read on three lines:

Happy Feet
Asian Foot Therapy
443.251.9622



Figure 3 - Proposed sign

Staff Comments: The application generally complies with Chapter 11 recommendations for signs, such as, “use simple, legible words and graphics, keep letters to a minimum and the message brief and to the point. In many cases, symbols or illustrations that communicate the nature of the business can be used, and use a minimum number of colors, generally no more than three. Coordinate sign colors with the building façade.” The sign bracket and sign material comply with Chapter 11 recommendations, “use historically appropriate materials such as wood or iron for signs and supporting hardware.”

The hierarchy of the sign is a bit unclear and a slight reorienting of the text and graphic could result in a more effective sign. The phone number is shown in a larger font size than “Asian Foot Therapy” and should be reduced in size as to not compete with the name of the business. The location of the graphic above the text also makes the business name a secondary feature of the sign, rather than a primary. Using basic clip art to replicate the sign, Staff proposes two alternate scenarios for consideration by the Applicant, as shown below (consideration for placement of words and graphics, Staff is not proposing the Applicant use the actual font or graphics below in place of their own):



Figure 4 - Suggested alterations to proposal

Staff Recommendation: Staff recommends approval as submitted. If the Applicant is willing to reorganize the sign as suggested, above, Staff recommends approval of those scenarios as well.

Testimony: Mr. Shad swore in John Eckenrode. Mr. Shad asked if there were any additions or corrections to the Staff comments or application. Mr. Eckenrode said that he liked the design options presented by Staff and would like to amend his application to use the graphic on the right side of Figure 4 on page 5 of the agenda.

Motion: Ms. Tennor moved to approve the application as amended by the Applicant to use the graphic on the right side of Figure 4 on page 5 of the agenda. Mr. Roth seconded. The motion was unanimously approved.

HPC-18-43 – 15081 Roxbury Road, Glenelg, HO-123

Advisory Comments for demolition and new construction.

Applicant: Dean Dubbe

Background & Scope of Work: This property is not located in a historic district, but is listed on the Historic Sites Inventory as HO-123, the Clark Family Farm. According to the Historic Sites Inventory form, the house was most likely built circa 1860. The Inventory form for this property was updated in 2008 and the form states that the then current owner was considering demolishing the brick house.

In this current application, the Applicant (and new owner) proposes to demolish the existing brick house. The application states, “the house has been abandoned for years and is uninhabitable in its current state. The report that was done on the house in 2008 indicated the house showed signs of extensive termite damage and was uninhabitable. Over the past 10 years, the house has been abandoned and has deteriorated. Once removed, a new house will be constructed on Lot 4 in the area of the removed structures.”



Figure 5 - Front facade of historic house – proposed to be demolished



Figure 6 - Rear facade of historic house - - proposed to be demolished (except for stone addition)

The Applicant proposes to retain two structures which are shown below: a rear stone addition that was used as a summer kitchen and a board and batten outbuilding with a metal roof.



Figure 7 - Stone addition to be retained



Figure 8 - Historic shed to be retained



Figure 9 - Interior photo circa 2008



Figure 10 - Interior photo circa 2008

Staff Comments: While the current conditions of the interior of the structure are unknown, the photographs taken in 2008 do not appear to show a structure beyond repair.

Depending upon the scope of repairs needed to make the house habitable, there are two county tax credit programs that could be used concurrently for the rehabilitation of the house. The first tax credit provides a deduction of 25% of pre-approved repair expenses from a property tax bill for up to 5 years for exterior repairs and qualifying interior structural repairs. The second tax credit provides a credit for up to 10 years based on the increase of the assessment for a historic property that has undergone significant improvement, restoration or rehabilitation due to the repairs that are made and includes interior expenses needed to improve, restore or rehabilitate the property.

If the rehabilitation of the property is not desired, Staff recommends alternatively saving the brick façade, or entire brick shell, rather than demolishing the entire structure.

Staff Recommendation: Staff recommends the applicant consider retaining the main historic house utilizing tax credits for the rehabilitation. Alternatively, Staff recommends the Applicant consider saving the brick façade or entire brick shell.

Testimony: Mr. Shad swore in Dean Dubbe. Mr. Shad asked if he had any corrections or additions to the staff report. Mr. Dubbe explained that photos in the staff report are not representative of the current state of the house as they are Staff's photos from a decade ago. Ms. Holmes said the photos date to 2008 when the architectural historian updated the Inventory form. Mr. Reich advised against demolishing the house and said the interior could be torn out and rebuilt. Ms. Zoren echoed these comments and said that with an older brick masonry structure the walls wouldn't have wood and therefore it wouldn't be the entire structure that has termite damage. Mr. Reich said that because it is a simple brick box, anything could be done with it, such as adding an addition. Mr. Dubbe said that he understood that, but the house is not in-keeping with the architecture that they want to build there. He explained that he had a structural engineer look at the house, and while he didn't get a form report, the house was deemed structurally uninhabitable. Mr. Dubbe said they are happy to donate items to be saved and could possibly reuse items such as the brick from the house. Mr. Dubbe said there is a cemetery on the property that they want to keep up.

The Commissioners and the Applicant discussed the previous subdivision of land that led to the current 50-acre parcel. The property has an easement and there is no further subdivision potential.

Motion: The Commission did not make a formal motion since this case was for Advisory Comments, but all were in favor of seeing the historic house retained.

HPC-18-44 – Parking Lot D, Ellicott City

Certificate of Approval for exterior alterations.

Applicant: Sharon Walsh, Howard County Department of Public Works

Background & Scope of Work: This property is located in the Ellicott City Historic District in Parking Lot D. The Applicant proposes to install bollards between the parking lot and both sides of the stream channel. The goal is to prohibit large items from entering the stream channel if there is another flood that will cause heavy objects such as cars and dumpsters to float. The bollards are considered temporary barriers.



Figure 11 - View of Parking Lot D stream channel

The application presents two options for the bollards. The first option is for wood timber bollards. These bollards will be square posts, 10 inches by 10 inches, and spaced out every 6 feet on center. There should be no more than 60 bollards total. They will be anchored 4 feet into the ground and will be 4 feet tall above the ground. DPW is receptive to painting or staining the timbers black to mimic a metal bollard if desired. The second option is for a square steel bollard to be painted black and filled with concrete. These bollards would be 8 inches by 8 inches in size. The height and spacing would remain the same as the wooden bollards. DPW's first option is to use the wood bollard since this is intended to be a temporary safety measure.



Figure 12 - Option #1 wood bollard



Figure 13 - Option #2 metal bollard

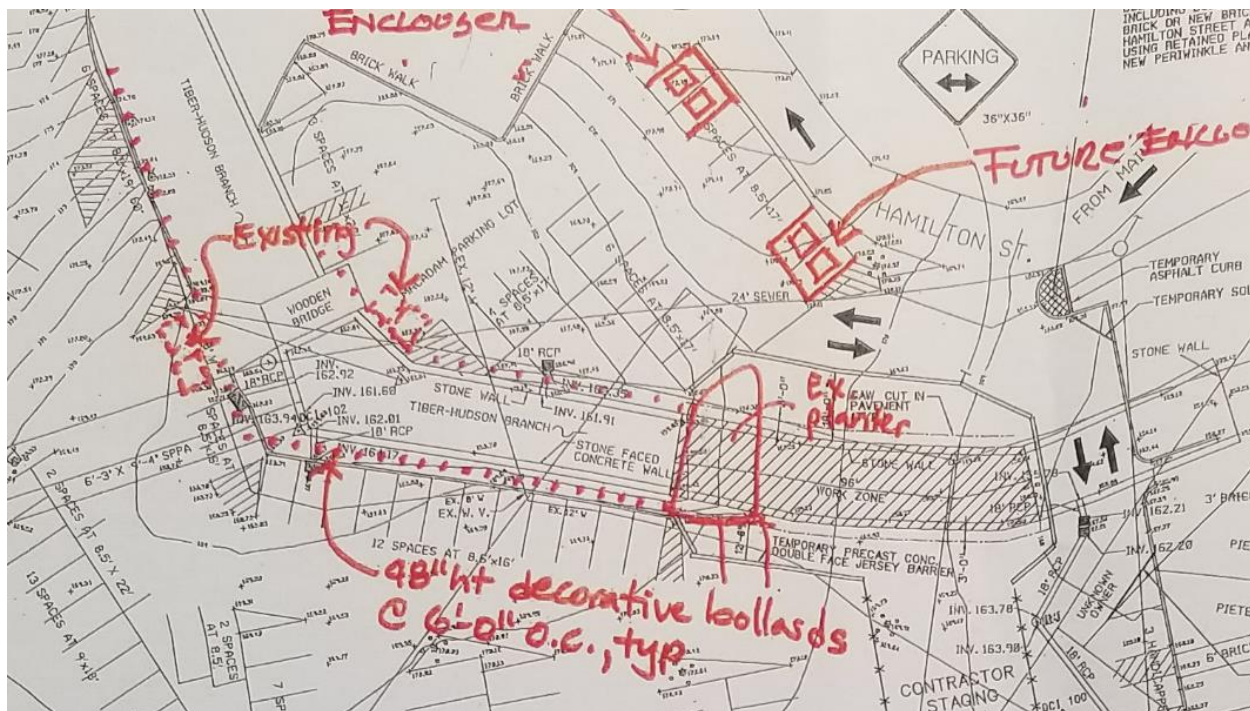


Figure 14 - Site plan for bollards

The old parking meters will be removed to allow room for the new bollards. The dumpsters that previously lined the channel have been relocated to higher ground; the possible final placement of the dumpsters is shown on the submitted plan, but DPW is waiting to hear the preferred locations from the waste removal contractor.

Staff Comments: The application complies with Chapter 10.C recommendations for Street Furniture, “use street furniture that is simple in design and constructed of traditional materials such as wood and dark metal.” The first option for the bollards is wood and the second option is metal. The wood bollard will blend nicely with the existing split rail fence (if the split rail is to remain along the stream channel). The location will be along the stream channel in Parking Lot D and will not obstruct pedestrian traffic. This complies with Chapter 10.C, “carefully evaluate the need before placing additional street furniture on narrow historic district streets and sidewalks” and “particularly along the commercial section of Main Street, place street furniture in areas where the sidewalk is wider or where adjacent public open space provides a more spacious environment.” The need for the bollards to keep large items, such as cars, out of the stream channel during a flood event has been proven as a known safety issue. The removal of the old parking meter posts also complies with the Guidelines, which recommend against “items of street furniture that are not necessary.”

Staff Recommendation: Staff recommends approval as submitted.

Testimony: Mr. Shad swore in Sharon Walsh from the Department of Public Works (DPW). Mr. Shad asked if she had any corrections or additions to the staff report. Ms. Walsh explained that DPW was tasked with coming up with suggestions to prevent cars and dumpsters from entering the stream channel during storm events. She explained they worked with different departments to see what could be done in the short term and they came up with two solutions – wood bollards that would have a more temporary feel or metal bollards that would feel more permanent. Ms. Walsh said the wood bollards

could be left natural, stained or painted and could have a decorative element at the top. The wood bollards would be 10x10 posts. She said the spacing would be 6 feet apart. The metal bollards would be the same height, 4 feet or 4 feet 6 inches. The metal bollards could be 6x6 posts instead of 10x10. Ms. Walsh said the bollards would be located on both side of the channel.

Ms. Walsh said they relocated the dumpsters that were at the low part of the parking lot to higher ground and also had a few ideas on how to keep them from moving, such as adding wings to the dumpster sides so that they catch on the surrounding bollards.

Ms. Tennor asked if the plan shows 50 bollards along the stream. Ms. Walsh said that number was approximate, they need to have a drawing done to scale, but it will be a substantial number. Ms. Tennor said that she found black metal to be preferable. Ms. Zoren agreed, that black metal bollards would be better as they won't be as large and will have more internal strength. Ms. Zoren said the square ones chosen are more contemporary looking and would prefer to see a more circular bollard with a cap.

Mr. Shad said he prefers a wood bollard, especially since the wood fence will remain. He said wood will appear more temporary than steel and the cost will be less. Mr. Roth also said he would prefer wood over metal. Mr. Reich agreed with Ms. Zoren that round steel would be more appropriate, but recommend the fence be removed or it would look strange to have both materials there.

Motion: Ms. Zoren moved to approve the use of black metal bollards, in a more circular form, with a cap of some sort, to be approved by Staff. Ms. Tennor seconded. The motion was unanimously approved.

HPC-18-45 – Multiple Properties in the Ellicott City Historic District, Ellicott City



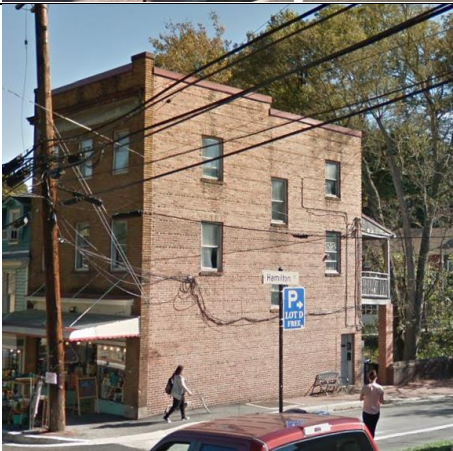
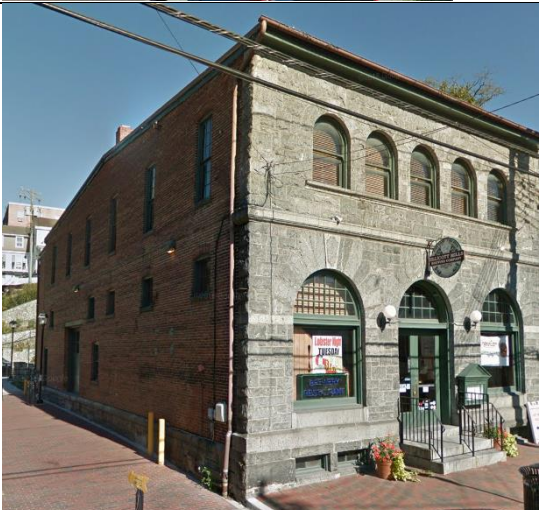
Advisory Comments for murals.

Applicant: The Fund for Art in Ellicott City

Background & Scope of Work: This application is for Advisory Comments for the creation of murals in the Ellicott City Historic District. The application contains a list of several candidates, which include:

8129 Main Street		
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<p>8156 Main Street (the Howard County Times Building)</p>		
<p>Ellicott City Granodiorite Outcrop between 8156 Main Street and 8180 Main Street</p>		
<p>8197 Main Street (Taylor's Furniture Store)</p>		
<p>8221 Main Street (The Ellicott)</p>		

<p>8221 Main Street (The Ellicott – side and rear)</p>		
<p>8229 Main Street (former Reedy Electric Building, now Sweet Elizabeth Jane)</p>		
<p>8249 Main Street (Yates Market)</p>		
<p>8307 Main Street (Ellicott Mills Brewing Co.)</p>		

8390 Main Street (The Wine Bin)



8407 Main Street (The Firehouse/former location of Vogel Engineers)



3709 Old Columbia Pike (Linwood Boutique)



3733 Old Columbia Pike (Manor Hill Tavern)



Staff Comments: The application does not contain any concept or proposed renderings for these buildings, so the Staff comments will be limited as the full scope is unknown. Wall murals are discussed in Chapter 11.D of the Guidelines. The Guidelines state:

“Painting a sign directly on a wall or other structural part of a building is not permitted by the county Sign Code. However, the Board of Appeals may grant a variance for such signs if they are found to contribute significantly to the historical, architectural or aesthetic character of the area. A wall mural that does not advertise a business or identify an area is not a sign and is not regulated by the Sign Code.

Well executed artwork such as wall murals can make a positive contribution to the historic district. Any wall mural, whether or not it is a sign, requires approval by the Historic Preservation Commission.”

The Applicant has identified 12 potential locations for murals. Identifying all potential mural locations allows the Commission to review the request comprehensively and not as isolated additions to the district. Of these 12 locations, six are historic, contributing buildings that have not been significantly altered and one is an important natural landscape feature, which also contributes to Ellicott City’s historic significance. These seven locations include: 8129 Main Street, 8197 Main Street, 8249 Main Street, 8307 Main Street, 8390 Main Street, 3733 Old Columbia Pike and the rock outcrop. These locations are not preferable for a wall mural, which would alter the primary and/or highly visible secondary facades, some of which are masonry and not easily reversible. Mounted art may be considered since it would not be a permanent alteration to the original walls. However, care would need to be taken to ensure that important architectural features are not altered, covered or detracted from.

The building at 8407 Main Street is a newer constructed building and does not contribute to the district’s significance. The building at 3709 Old Columbia Pike is older, but also does not contribute to the district’s significance as it has been significantly altered from its original life as a service/gas station.

The following buildings are appropriate for potential mural locations:

- 8156 Main Street (former Howard County Times Building) – while this is a historic, contributing building, the front façade has been altered from its original design. The side of the building presents a smooth stucco surface that could be suitable for a mural as it would not highly impact the front façade of the building and could easily be painted over if the mural was no longer desired.
- 8221 Main Street (the Ellicott) – this building is a historic building, that contributes to Ellicott City’s later significance. The side of this building currently has an older mural on it. The rear of this building presents a large blank face to Old Columbia Pike and a mural could provide more character. This building is brick, so any mural would not be easily reversible, as is evident by the deteriorating mural on the side of the building.



Figure 15 - 8156 Main Street



Figure 16 - Side of 8221 Main Street



Figure 17 - Rear of 8221 Main Street

- 8229 Main Street (former Reedy Electric, current Sweet Elizabeth Jane) – this building is a historic, contributing structure that was recently restored, although the original design was unknown. The demolition of the infill cedar shake windows and doors revealed some original architectural elements that had been covered. This is a brick structure, but the side of the building has an area of rough brick (see red circle below in Figure 18), where a former building was once attached, prior to the demolition and construction of the Post Office building. This location could be suitable for a mural but may not present the best surface for painting due to the deterioration of the brick and mortar.



Figure 18 - Side of 8229 Main Street

The current Guidelines do not provide adequate advice on murals, other than to describe requirements of the Hearing Examiner. However, other sections of the Guidelines provide relevant advice. For example, Chapter 6.C recommends against, “replacing or covering original masonry construction” and against “painting historic stone or historic brick that has never been painted.” The Secretary of the Interior Standards for Rehabilitation provide additional guidance. Standard #9 states, “New additions, exterior alterations, or related new construction shall not destroy historic materials, features and spatial relationship that characterize the property. The new work shall be differentiated from the old and shall be compatible with the historic materials, feature, size scale and proportion and massing to protect the integrity of the property and its environment.” Standard #10 states, “New additions and adjacent or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.”

Testimony: Mr. Shad swore in Kim Egan from the Fund for Art in Ellicott City. Mr. Shad asked if she had any corrections or additions to the staff report. Ms. Egan explained that the Fund for the Arts received a \$125,000 bond from the State to create art and murals in Ellicott City. She has put together a list of walls that are suitable for a mural. After talking to the Commission, her organization will put together a competition for local artists and then come back with specific art and locations for approval. She explained that she wants to get an idea of where the Commission found that murals would be appropriate, so that she didn't start a competition with walls that the HPC would not approve. Ms. Egan presented a PowerPoint of various concepts and ideas for Ellicott City, which also showed the various building walls in question. She explained that she is not wedded to any type of mural – she wants to see what the artists present, but wants to have requirements that are suitable for the historic district.

Ms. Egan clarified a few concerns that were raised in the staff report. She said they are not proposing to paint on the rock outcrop, just near or around. She said that for 8129 Main Street, there are currently no walls available for a mural, unless the Caplan's building is removed, exposing the eastern wall. For 8197 Main street, the thought was that a mural could go back where it was previously painted with the Taylor Furniture sign.

Ms. Egan's presentation grouped the buildings together as referenced in the Staff report. The significant buildings are referred to as Group A and they could require that the mural not be directly attached to the building, but on something that attaches to the building, since that group of buildings has not been significantly altered. Ms. Egan showed examples of murals that explain how buildings were used in the past or showed what they looked like inside in the past, or add a feature that would have been there in the past or used as an educational/learning tool.

The second set of buildings Ms. Egan discussed were the Group B buildings. The ideas for these buildings would be more entertaining and whimsical, but still compatible with the streetscape. She showed examples in Frederick, other examples that appear to make a wall three-dimensional tromp l'oeil depictions, and murals consisting of tile mosaics. The building discussed in this group include 8229 Main Street (former Reedy building – the side used to have an adjacent building and the brick is exposed), 8221 Main Street (former theater that already has painting on the brick), the Linwood building on Old Columbia Pike (it used to be a gas station, but no longer resembles one and is currently painted), the former Howard County Times building (which has been painted in recent years) and 8407 Main Street (considered new construction, but is not the best candidate due to small side walls).

Ms. Egan explained they would only bring applications for approval for the ideas that they would consider funding and they will consider the most appropriate options. Mr. Reich asked if all of the Group B building murals would be painted directly on the building. Ms. Egan said painting on the brick or painting on another surface were options. Mr. Reich asked if the art was removable, if it would be changing. Ms. Egan said they do not have the funds for changing it out, so the mural would be up for the life of the art. Mr. Reich said he would be in favor of a new mural over the one on the theater building (8221 Main Street), which has been a location discussed for years.

Ms. Tennor said she found the rock outcrop to be a significant historic feature and would be opposed to painting or having art on it in any way. Mr. Roth said the former Times building would not be a candidate because it is next to the rock and does not find that a mural would enhance the rock outcrop.

Mr. Roth said that in general, a mural would need to be really good to improve any of the buildings listed in Group A. Ms. Egan asked about the idea for the mural on Taylor's. Mr. Roth said the mural takes

away from the buildings under it, which have a nice streetscape. Mr. Roth said there is more of a benefit for a mural on the Group B buildings.

Mr. Shad swore in Joel Hurewitz. Mr. Hurewitz said that he generally came to make comments on the rock, but a few things came up during the presentation. He likes the concept of faux art, showing what was there on the interior of the building. He said if the buildings on lower Main Street are lost, there is an opportunity to depict some of the things that will be lost, such as painting the Caplan's building on the wall of 8129 Main Street. Mr. Hurewitz provided some history of other monuments considered for placement on the rock.

Mr. Shad swore in Karen Gordes. Ms. Gordes said she is in opposition of the proposal as written. She said there is no plan for long term maintenance and explained how the existing mural at Old Columbia Pike has worn poorly. Ms. Gordes would like to see funds set aside for maintenance. Ms. Gordes commented on the historic nature of the building proposed for murals.

Mr. Shad clarified that the Applicant will be returning for approval for specific art in specific locations. Mr. Shad asked if anyone else in the audience wanted to give testimony and no one spoke up.

Motion: The Commission had no motion, as the application was for Advisory Comments, which was reflected through the testimony.

HPC-18-46 – Multiple Properties in the Ellicott City Historic District, Ellicott City

Advisory Comments for Alterations in the Ellicott City Historic District.

Applicant: Phil Nichols, Howard County Government

Background & Scope of Work: This application is for Advisory Comments/Pre-Application Advice for alterations in the Ellicott City Historic District. The application explains, "the purpose of this application is to update the Commission on the proposed alterations to the Ellicott City Historic District due to the recent flooding on May 27, 2018. This flood event has shifted the conversation and we must focus on life-safety issues, while preserving the town. Changes will have to be made to adapt to a new future with a threat of continued, high-intensity, short-duration storms."

Please note this application is NOT for a Certificate of Approval for any alterations at this time and is strictly for Advisory Comments/Pre-Application Advice to update the Commission on the Plan and obtain advice.

The buildings subject to primary discussion include the row of buildings constructed over the stream on the south side of the street, from 8125 Main (Caplans) east down to 8049 Main Street (the Phoenix). Photos of each building after the 2018 flood are shown below:

8125 Main Street/Caplans/former Miss FIT



8109-8113 Main Street



8095 Main Street/Shoemaker Country



8085 Main Street/Portalli's



8081 Main Street/Tea on the Tiber



8069 Main Street/Great Panes and Joan Eve





8059 Main Street/Bean Hollow



8055 Main Street/Discoveries



8049 Main Street/The Phoenix



On August 23, 2018, the County released *The Ellicott City Flood Mitigation Plan*. The Plan provides background information on the 2016 and 2018 flooding in Ellicott City and the engineering analysis that has been done to date, including a study known as the Hydrologic and Hydraulic Analysis (H&H). The Plan explains the various models that were examined in the H&H Analysis. The Plan states that modeling shows the plan will result in “a significant reduction in the floodwaters compared to existing conditions, and demonstrates the most improvements in water depth, water velocity and the risk to life safety.” The Plan states, “as the models demonstrate, the acquisition and relocation/demolition of 10 buildings that currently constrict the stream channel will provide the most immediate and impactful benefit in reducing the life safety risk on Lower Main Street...The County will make every effort to preserve the key

historical elements of these structures so that they may be re-used in the Historic District to safeguard their legacy for the years to come.”

Page 12 of the Plan outlines some of the next steps that will need occur as related to historic preservation. The Plan states:

“In addition to community input, the Master Plan itself and specifically any proposed removal of structures within the Historic District require the Historic Preservation Commission (HPC) to review. A Certificate of Approval will need to be obtained by the HPC before the County can proceed with these plans. Projects that have any federal/state permitting or funding must include a Section 106 Review where the County will identify and determine the impact and any adverse effects of the historic resources within the identified area. The County will work with state agencies, such as Maryland Historical Trust in this review process.”

Staff Comments: The ten buildings on lower Main Street include structures that extend over the Tiber Branch stream. This is the only stream channel exiting from the drainage area of the Historic District to the Patapsco River, after collecting three stream branches into one. The past two storms, in 2016 and 2018, had water depths in the Tiber Branch that exceeded the capacity of the stream channels. As a result, stormwater broke through the first floor walls and flooring of these structures, causing structural instability. Entire floors of buildings have washed out, as shown with the photo above of 8055 Main Street (Discoveries) and 8125 Main Street (Caplans).

The oldest of these buildings is 8081 Main (Tea on the Tiber), which is a granite building that dates to 1834 and is a contributing structure to the Historic District. The newest structure, which is not a contributing building, is 8095 Main (Shoemaker Country). It was constructed in 2000, when the previously existing historic building was destroyed by fire. The neighboring building at 8085 Main (Portalli’s) was damaged in the same fire and required substantial interior reconstruction.

The buildings in this row vary in age as they do not date to one particular time frame. They also vary in historic significance as some buildings have had their interiors extensively modified (either due to modernization, flood repairs or fire repair) and no longer contain any historically significant interior features. Storefronts on some of the buildings have been altered through the years, and no longer retain their original appearance. However, some buildings have significant historic features that should be retained, such features could be used on other buildings or in appropriate locations as determined by the Master Plan.

These structures have experienced repetitive loss and they are the most vulnerable to collapse in a future catastrophic flood, which could endanger lives and nearby buildings. Prior to an application for Certificate of Approval to remove or deconstruct any buildings, Staff recommends a comprehensive review of each building to evaluate the remaining historic architectural features and create a plan to deconstruct, salvage or relocate historic material as feasible. While the buildings were documented by the County Architectural Historian and the Maryland Historical Trust following the 2016 and 2018 flood, Staff recommends additional documentation for any historic buildings being removed or deconstructed.

The Plan correctly explains the next steps that will need to take place as related to historic preservation. A Certificate of Approval is required for the demolition or relocation of structures in a historic district. Section 300 of the Commission’s Rules of Procedure guide the Commission in review of proposals to demolish or relocate a structure within a historic district. As explained in Section 300, the Certificate of Approval for the demolition or relocation of any structure must “include a plan for treatment of the site after the structure is removed. The Certificate of Approval must also include the new location for a relocated building if the location is within a historic district in Howard County.” The Rules of Procedure

also indicate that before the Commission acts on an application for demolition or relocation, they shall determine whether the building is a Structure of Unusual Importance. Structures of Unusual Important follow different procedures.

The Plan also correctly explains the next steps that will need to take place pursuant to Section 106 Review. The HPC process is separate from Section 106 review, and the Section 106 reviewing agencies will make their own separate determinations according to their process. The County has met with the Maryland Historical Trust to initiate discussions about the Section 106 Review process.

Testimony: Mr. Taylor entered the Ellicott City Flood Mitigation Plan and the 2016 Ellicott City Hydrology and Hydraulic study prepared by McCormick Taylor into the record by reference.

Mr. Shad swore in Phil Nichols and Mark DeLuca from Howard County Government, who presented an adaption of the PowerPoint presented at the September 4, 2018 Council work session. The presentation gave an overview of the history of flooding in Ellicott City, and explained the two different types of floods— bottom up and top down. Mr. Nichols explained that the last few years have been top down floods. Mr. DeLuca described the conditions that make Ellicott City vulnerable to flooding -its history as a mill town, manipulation of waterways and building construction over the waterways. Mr. DeLuca also showed a slide from the National Weather Service highlighted the significant flash floods in the region in 2018 and noted that certain storms, such as one in Catonsville, could have caused significant damage to Ellicott City if they were centered there. Mr. Nichols testified that the head of the National Weather Service in the Sterling location expects such a lingering rain pattern to continue and increase in the coming years.

Mr. Nichols detailed the damage to buildings on lower Main Street. Mr. DeLuca explained the hydraulic and hydrology analysis that was performed. He explained that the Tiber Hudson is a very small 3.7 square mile watershed, that is really a sub watershed comprised of smaller drainage areas - the Tiber, the Hudson and the New Cut/Autumn Hill Branch.

Mr. DeLuca explained that the County asked McCormick Taylor to model the 2016 flood, a 100-year event and a 10-year event and see how the watershed responds to those events. The County requested that McCormick Taylor determine if it was possible to bring a 100-year event down to a 10-year event, since they conveyance system (channels and culverts) could hold more than a 10-year storm. Mr. DeLuca discussed the projects identified to be Phase 1 of implementation and the constraints associated with building facilities on public land. In 2016 the County said there were no constraints, and looked to see where projects could be done and how much could be done in terms of building storm water facilities. The H&H study recommended 18 structural projects for about 80 million dollars.

Mr. DeLuca reviewed the various model scenarios and explained that McCormick Taylor looked at other studies as well. These studies showed that some areas could be dried out, some would stay wet, but regardless lower Main Street was not improved at all. The County considered various options for lower Main Street, such as opening up the first floor of the buildings to allow water to pass through, removing the additions of the buildings, keeping just the facades, removing the buildings entirely, adding culverts under Maryland Avenue, and expanding the stream channel. They also looked at creating a floodplain, since there is no floodplain for the water to go.

Mr. DeLuca said that the July 30 model was peer reviewed by the Army Corps of Engineers and the Corps agreed with the construction of the model and the methodology used. Their conclusions gave the County confidence in the model.

Mr. DeLuca explained the issue of water velocity and that the water on lower Main Street moves over 20 feet per second. The velocity of the water causes the damage by carrying projectiles through the water. The goal is to slow the water down to mitigate the effects of the high velocity. Mr. DeLuca explained the model also looked at shear stress, and concluded it is highest at Caplans (due to the New Cut Stream), which corresponds to the devastation of the building. Mr. Reich asked if Caplans location is where the building start to be constructed over the stream. Mr. DeLuca confirmed that was correct.

Mr. DeLuca showed a depiction of the existing conditions during the July 30 storm and explained the graphics and colors shown on map. He explained that the lower main stream areas is very deep and showed how the water shoots out on to Main Street from the channels and contributes to the flooding. Mr. DeLuca discussed the open first floor model and explained that mitigation is minor and this scenario results in 6-8 feet of water traveling down Main Street. Further, the piers holding up the second floors of the buildings could become debris collectors, so in a real scenario water levels may not actually diminish. Mr. DeLuca testified that the buildings would cause life safety issues concern from a Fire and Rescue perspective. Mr. Nichols explained that the velocity was 11.1 feet per second and in this open floor scenario the velocity is minimally reduced to 8.2 feet per second, which is still a destructive force that comes with that water. Mr. DeLuca and Mr. Nichols reviewed other scenarios, such as a culvert in lower Main and only facades along the street. In both scenarios, the water depths and velocities were still high and Fire and Rescue expressed safety concerns with the structural integrity of the facades during flood and fire situations.

Mr. DeLuca explained the other modeling scenarios. The expanded stream channel scenario, which removes all the buildings from Caplans east to Maryland Avenue and expands the stream channel, resulted in significant reductions in depth, now 4 to 6 feet, and the velocity dropped to 6.7 feet per second. The full model plan considers other stormwater management elements of the McCormick Taylor and master planning study, such as the Route 40/29 pond, Quaker Mill pond, West End conveyance improvements, Ellicott Mills culvert, the Hudson Bend plan and Big Pipes. Mr. DeLuca explained how several of these conveyance and other improvements would function and that they provide an area wide solution.

Mr. DeLuca described other components of the plan, such as the proposed Hudson Bend improvements. Mr. Nichols explained that constructing all 18 projects would take a significant amount of time, whereas the current proposal can be accomplished in a much shorter timeframe. Mr. DeLuca discussed the design goals and improvements of the 5-year flood mitigation capital improvements plan with the most important goal being protecting lives and the second being a sense of urgency. He testified that the County has been studying this flooding issue for years and there is now a sense of urgency that is now a key component that everything is measured through. Mr. DeLuca explained that the County could look at a series of projects that will take decades, due to permitting, funding, acquisition, design engineering, and constructability issues. He stated this plan meets the criteria of four points: that protecting lives, urgency, feasibility constructability and cost effective. This plan meets the criteria and that any other plan needs to be looked at against those criteria.

Mr. Nichols provided background information on the ten structures proposed to be removed. He explained that many of the structures have been rebuilt over time due to flood, fire, and modernization. Mr. Nichols said the County Executive established a Historical Structures Review Committee that will be working with the County to identify which pieces of the buildings can be reused. Mr. Nichols also stated that the property owner of 8081 Main Street is looking at relocating the structure.

Concurrent with the Historical Structural review Committee, the Master Plan will continue and the flood mitigation plan will be rolled into that process. The expansion of the stream channel will involve MDE,

Army Corp, and Section 106 review process. A bill to fund the first portion of the plan is before County Council and the public hearing will be September 17. The County will finalize negotiations with property owners and then return to HPC for a Certificate of Approval.

Mr. Shad asked if the Commissioners had any questions. Mr. Roth stated he read both documents and had no questions yet. Mr. Reich asked regarding feasibility, how much has been done to study the actual costs of this project and timelines. Mr. DeLuca said if the first step would be to start at bottom and work up. Some projects can happen in tandem and some should have designs complete this year. He said funding is set aside and encumbered and projects are moving forward at different rates.

Mr. Reich and Mr. DeLuca discussed various components of the plan. Mr. Reich and Mr. DeLuca discussed the size of the pipes that are shown going under Maryland Avenue. Mr. Reich asked why the pipes don't go from the Patapsco all the way to Caplans so that they don't have to demolish the buildings to relieve the water. Mr. DeLuca asked what elevation the pipes would be placed at. Mr. Reich said they would go through the mountain and be 30 -40 feet below the structures and the granite would serve as the pipe. Mr. Reich suggested that would be a lot less expensive than tearing everything down and creating terraces. Mr. DeLuca explained that the elevation is an issue. Ms. Tennor requested Mr. DeLuca show the Board sections that depict what he and Mr. Reich discussed. Mr. Reich asked what level of detail is available. Mr. DeLuca indicated cross sections of the channel and 30% concept drawings could be shown, Mr. Reich reiterated a desire for the Commission to see them.

Mr. Shad asked if the stream widening is part of this model Mr. DeLuca confirmed it was. Mr. Shad asked if an increased depth is part of the model as well. Mr. DeLuca said there may be a one-time increase in depth. Mr. DeLuca explained that the stream depth couldn't be lowered too much, based on outfall into the Patapsco. He explained that the stream enters through the bridge, and they have to maintain an elevation there, so that there is a fall along the entire stream section and they don't create a pool in the stream. Mr. DeLuca explained that storms move silt and rocks around all the time, which requires continual maintenance of a natural process. MDE does not like the stream manipulated too much, however, they have allowed the County to clean the streams during this process because they were so blown out. Mr. Shad suggested increasing the depth in addition to the width, to lower the velocity, could be another option and save a few of the buildings. Mr. Nichols said the County could take a look at that recommendation but wasn't sure if it would be enough capacity to keep some structures over the stream.

Public Testimony

Mr. Shad swore in Ms. Lori Lilly. Ms. Lilly testified in support of the County's flood mitigation plan and submitted testimony with an additional 125 stakeholder names supporting the plan. Ms. Lilly noted that that she has been working on behalf of the Tiber Hudson watershed for 7 years. She said that she is the Founder and Director of Ecoworks and briefly explained their work in Ellicott City and the watershed. Ms. Lilly recognized this watershed is broken, citing the New Cut Branch as the biggest issue in lower Main, and explained some of the issues with the watershed. She cited Mr. Peter's videos which show that 20 feet of water will not fit under the buildings with 10 feet of clearance. She spoke about the benefits of the proposals and said that the lower Main buildings are supported by questionable and vulnerable river channel walls. She said that if any of those building walls fail, there could be a disaster.

Mr. Shad swore in Ms. Lexi Milani, representing the Ellicott City Partnership (ECP). Ms. Milani stated the ECP's mission supporting the historic district. She said the Board voted unanimously to support the 5-year mitigation plan and funding legislation. She stated the County's extensive analysis suggests this is the right option and will reduce life safety risk and allow the town and its constituents to recover. Ms. Milani explained the 2018 flood impact on businesses and that many merchants plan to relocate out of

Ellicott City. She stated she has spoken with shop and restaurant owners who report decreased sales and that delayed actions will result in further decline or even closures of businesses. She explained that many of the businesses have already experience the cost of lost business and incurred significant remediation and renovation costs twice in the past two years. She said that removing buildings will reduce risk, allowing the town to recover. She said that leaving the buildings to stand in their current state is a visual reminder and safety concern. Implementing Phase 1 between the holiday season and next years rainy season, would be ideal as this is a matter of great urgency. Ms. Milani stated it is the people and businesses that make Ellicott City what it is and not just the streetscape.

Mr. Shad swore in Ms. Elly Cowan, representing Preservation Maryland who did not support demolition. Ms. Cowan expressed concern about the current proposal to demolish a large portion of historic structures and her belief that there are other feasible options. She stated Ellicott City is one the most historic and unique places in Maryland, a character maintained thanks to historic preservationists. Preservation Maryland fully supports the efforts to protect lives but believes there are feasible alternatives to provide remediation, rather than the demolition of historic buildings. She said that demolition is not a proven strategy of flood remediation, and Preservation Maryland does not believe flood remediation has been adequately studied in Howard County to understand its hydrological impact. Ms. Cowan stated the removal of the buildings could result in new flood patterns and affect the B&O Railroad Station, which would sit in a more vulnerable location. Preservation Maryland is willing to pledge funds to study alternatives.

Mr. Shad swore in Mr. Michael Smith, a resident of the Historic District. Mr. Smith stated the challenge is the need to bring vibrancy back to Ellicott City as soon and as safely as possible without compromising the historic uniqueness of town. He said that removing a prominent row of storefronts would diminish the commercial ambience and healthy retail is needed on both sides of the street. Mr. Smith stated that replacing the buildings with a stormwater drainage swale of uncertain design, that will run dry for many months, will challenge the economic viability of the remaining buildings. He inquired about the effects to B&O Railroad Museum if it becomes an island and requested that every alternative to demolition is analyzed. Mr. Smith discussed the benefits of constructing a large tunnel that would not require demolition. He said the Commission and County should work with Preservation Maryland who offered funding.

Mr. Shad swore in Ms. Shelley Wygant, an Ellicott City resident. Ms. Wygant testified in opposition to demolition of buildings. She stated that demolition is the option of last resort and does not believe every option has been exhausted to this point. Ms. Wygant said the demolition plan was presented very quickly and she created a group called "Working to Save Ellicott City" that contains members from all over the world. She does not believe this is an emergency because the 5-year plan does not address real mitigation until 2021. She said that if the lower Main Street is so dangerous, the County should not have allowed the opening of lower Main buildings where people are currently gathering.

Mr. Shad swore in Mr. Len Berkowitz, a business owner in the Historic District, who testified in support of the plan. Mr. Berkowitz said he is the owner of the only historic stucco building in Ellicott City, which is proposed to be removed. Mr. Berkowitz discussed some of the history of the district, regarding the 1984 fire when seven buildings burned down and were demolished and in 1999, when a six-alarm fire destroyed six buildings and seven businesses. He discussed the Rosenstock building, which was torn down due to fire and rebuilt to modern building standards and FEMA Code, but did not survive the three floods of 2011, 2016 and 2018. In 2011, 8069 Main Street experienced 4-feet of water in the basement. He said FEMA covered the damage to the granite support walls to his basement and river at the approximate cost of \$25,000. He explained that after the 2016 flood he wanted to remove his stucco and restore the façade, but found there was nothing left to the original building.

Mr. Shad swore in Mr. James Massey Sr. of Woodbine. Mr. Massey stated he understood the intense desire to save the buildings, but supported the County's plan. He called for something to be done in the essence of public safety and asserted the time for studies is over. He said that many building have been condemned and in order to restore them, they won't retain the historical significance that they once had. Mr. Massey believes the County study did not go far enough, using the example of Hurricane Agnes in 1972 when the Patapsco flooded 30 feet deep along River Road. He stated the County needs to study a scenario with the Patapsco flooding, in addition to the storms where water is coming from the top down. Mr. Massey stated that in the late 1970s, Race Road in Elkridge flooded and the County condemned properties and torn the homes down, but years later development was allowed in that same floodplain and that needs to be taken into account.

Mr. Shad swore in Ms. Sherry Berkowitz, a business owner in the Historic District. Ms. Berkowitz explained that she was part of an arts coalition in 2014 to do a mural at Old Columbia Pike of the former gas station at that location. She said the history of that building still lives on even without the physical building. She expressed hope that her building and business will be part of that same legacy. The buildings don't deny or change the history of the town. Ms. Berkowitz expressed a desire to see history continue rather than remembering a town where people lost their lives because the community felt the buildings were more important than the business owners and residents. She said the town is changing, but it has always been changing. She noted that there are no longer mills along the river even though it is known as a mill town and the steam engines are no longer running on the tracks, but the events are remembered. She asserted that Mr. Weinstein and Mr. Kittleman's plan has not been rushed because the storms are on the owners minds every day. She referenced her tenant's photos of a 2-story wave coming at her building in 2016; how Joan Eve escaped the building in 2018; and how it only took 30 minutes for Main Street to become a raging river.

Mr. Shad swore in Ms. Marjorie Valin of Columbia, who testified in opposition to the flood mitigation plan. In 1995, she started a marketing agency in Oella and had a second office in Ellicott City. She worked with National Trust for Historic Preservation where she saw firsthand how towns lost their identity. She doesn't believe saving lives and saving buildings should be diametrically opposed. She said bulldozing should be a last resort since it can't be reversed. She referenced a radio interview that suggested the tearing down of the buildings was a done deal. She questioned why the buildings are being torn down at the bottom of the hill when the river flows down from upstream sources. She called for urgent steps to be taken now to reduce the velocity and volume of water upstream to save history downstream.

Mr. Shad swore in Joel Hurewitz of Columbia, who testified in support of removing the buildings over the channel. Mr. Hurewitz said he has been researching the 1868 flood and made some corrections regarding the history of flood. He stated the buildings are not really useable at this point. He said focus of the HPC is not the comprehensive plan, but rather the HPC is to deal with each individual building and whether it is a structure of unusual importance, which he believes there are only four: The Phoenix, the Easton Sons façade, the Tea on the Tiber, and Caplans. He said moving Tea on the Tiber is a good idea. He said the County did not anticipate the 2018 storm and should provide a warning system in town to deal with life safety risk.

Mr. Shad swore in Mr. Edward Cochran of Columbia. He shared his family ties to Howard County and stated his opposition to this plan. He said all but one of the buildings proposed to be demolitions is older than him and his father. He quoted a section of the Guidelines on demolition where its states that "buildings are irreplaceable resources..." Mr. Cochran provided three points. First, demolition will not enhance life safety as the proposed demolition is by July 2019, but the proposed plan has no action on

vacant lots until FY21 and FY22. He expressed concern that the County's models show no mitigation and that the removal of buildings is not justifiable to make lower Main Street safe when the water depth and speed are unchanged. Second, he questioned if all possible alternatives have been examined, such as the tunnel proposed by McCormick Taylor that starts at the Tiber Hudson confluence. He said the County should only considering demolishing buildings after all the studies have been done and when the flood mitigation plan is ready to be implemented. Third, there is no real plan proposed for how the building will be replaced.

Mr. Shad swore in Ms. Liz Walsh, a resident of the Historic District, testified in opposition to demolishing the 10 buildings on lower Main. She stated that she appreciates the Applicants seeking advice and noted that the request is for an advisory opinion, not for a Certificate of Approval and per the Rules of Procedure 104.A.4 , the request for Advice should have been submitted 22 days prior to this meeting. She questioned if this request was timely and said that the procedural rules should be followed. She noted it was not presented as an emergency measure nor did she think it could be. Ms. Walsh requested that all possible alternatives to preserve, rather than to demolish, the building should be considered and exhausted. Mr. Shad confirmed that the application was submitted in a timely manner. Ms. Burgess stated the application was submitted on Wednesday, August 15th which was the application deadline for this meeting.

Mr. Shad swore in Mr. Craig Stewart, a resident of the Historic District and business owner in the historic district for 36 years. He said the County's study falls short in fulfilling the statement that "the County must focus on life safety issues while preserving the town." He said the concept of preserving the town, which is an irreplaceable historic asset, seemed to be absent from the plan. He said the plan needs to demonstrate what can be done to preserve whatever portion of structures is possible. He agreed with Mr. Reich that the two 10-foot in diameter culverts seemed inadequate and questioned if they can extend further upstream and preserve the facades to maintain the character of town. He said the study should include efforts to preserve the architecture.

Mr. Shad swore in Ms. Leanna Massey of Frederick, who testified in opposition to demolishing the buildings. She shared that her parents still live on Hill street and that they had a tree fall on their home from the rain. She said this plan is irreversible once buildings are torn down and she doesn't believe the County has exhausted all options. She agreed that it is of utmost importance to save lives, but found it insulting that to say people are more interested in saving buildings than lives.

Mr. Shad swore in Mr. Thomas Harman, a resident of the Historic District. Mr. Harman is the Director for the Center of Accelerating Innovation for the Federal Highway Administration and suggested the County take advantage of their CHANGE program (Collaborative Hydraulics Advancing to the Next Generation of Engineering), which is free and available to the County. This program could provide a free second opinion. He said other models are available besides the Army Corps models and the County could take advantage of international experts to slow the conveyance. He encouraged the County to reach out at a Federal level and mentioned a \$1 million dollar grant available to help with innovation and offering resources.

Mr. Shad swore in Mr. Steven McKenna, a resident of the Historic District, who testified in opposition to the demolition plan. He expressed a belief that there has been a lack of transparency and that no plan is going to mitigate the safety. He said there are a lot of alternatives that have not been pursued. He said the County's plan is too focused on hydraulics and not enough on hydrology with further upstream forms of mitigation. Mr. McKenna asserted that the problem is manmade, with natural aspects to it. He said the overall structure of the town will be changed and could result in unintended consequences.

Mr. Shad swore in Mr. Charles Kyler, a resident of the Historic District. Mr. Kyler detailed his involvement assisting with rebuilding after the 2016 flood. Mr. Kyler acknowledged safety concerns and that no one should have the fear of being trapped in a building or have anxiety attacks from the floods, but found that the 5-year plan did not resolve a single portion of Main Street. He said there will still be 1-4 feet of water until the plan is pushed out decades to show the results of non-flood water levels. He said the County needs a plan that takes care of flooding and ensures all lives. If that plan requires demolition then it should be considered, but the plan needs to be seen first, rather than demolishing first.

Mr. Shad swore in Ms. Mary Catherine Cochran, who shared her preservation experience in the County and her family history. She stated that the demolition of the buildings will irrevocably change the face of the National Historic District. She said the Commission needs to understand the impact on the surviving buildings. The funds will demolish the buildings now, but the plan does nothing to mitigate the site until FY 21/FY22 and if this occurs again before that time all of the water will go to the B&O Railroad Museum. She questioned why, if this is an emergency/plan of last resort, a decision should be made today for something that has no impact for three years. She said that even with mitigation of the channel, modeling shows water 2 to 8 feet deep in front of the B&O Railroad Museum. She expressed concern that the modeling still shows swift water velocity of 6.7 feet per second, which is four times faster than the National Fire and Protection Association's definition of swift water. She requested better models, including velocity models, to evaluate the risk of the B&O Museum and for human life. Ms. Cochran expressed concern for the economic impacts if the lower quarter of Main Street is removed. Ms. Cochran asked if the facades can be saved or if the original buildings be saved (not the additions over the river).

Mr. Shad swore in Ms. Grace Kubofcik, representing Patapsco Heritage Greenway (PHG). Ms. Kubofcik stated the PHG mission and their role managing entity of the Patapsco Valley Heritage Area. Ms. Kubofcik supported the urgent and compelling need to provide safety of those in Ellicott City. The ongoing challenge of water retention and conveyance lies within the history of the town. She said the major projects for water retention are needed immediately and should have been started many years ago. She noted an effective streetscape along the National Road, and stated that Main street is rare and invokes much of the towns charm and attracts visitors. She empathized with those making difficult decisions due to the flash flood threat, and said PHG supports the County to obtain the ten buildings on Main Street. She also recognized the importance of the ten buildings and found that nine contribute to the historic character of the district. She expressed hope and desire that the acquisition process will provide critical time for questions to be answered for possible alternative solutions. Ms. Kubofcik stated that PHG is concerned about the future of B&O Railroad Museum and that they welcomed the opportunity to explore options with the Administration, consultants and other partners.

Mr. Shad swore in Ms. Nancy Pickard of Rockville. Ms. Pickard stated that she had been a 22-year resident of the county. She stated her concern about the demolition of ten structures that make up a significant portion of lower Ellicott City. She explained that these structures have long and varied history, some as early as the 1830s, and that individually they have varying degrees of architectural and historical significance to local historic district. Ms. Pickard requested detailed historical and architectural documentation of the buildings, and the timeline for reuse of the site to avoid a vacant cavity in heart of the historic district.

Mr. Shad swore in Ms. Tara Simpson, an Ellicott City resident, who testified in opposition to demolishing the buildings. She said that her home has flooded twice, and she has seen Main Street friends and neighbors in danger and understands the need for safety. Ms. Simpson said that if this was truly the only option she would be supportive. She said that altering or removing may be the option, but the

mitigation plan need to start now with more thought and time put toward solutions. She requested the County demolish with care and removal of buildings need to be thought through.

Mr. Shad swore in Ms. Kathy Howell, an Ellicott City resident, who testified in opposition to the County's plan. She asked if the plan could have two-phases; one to buy out the owners now as a first step without plans for demolition. She stated the plan is rushed and questioned whether other towns, that have been through this, have done this as a solution.

Testimony concluded and the Commission provided the following comments:

Mr. Reich stated the County needs to come up with a plan that does not demolish the buildings. The buildings are an iconic part of Main Street and it would be devastating to lose them. He requested the historic background of each building. He stated that he was on flood workgroup and was surprised to see this proposal because it is not in the McCormick Taylor studies he previously saw. He said this plan is too rapid and does not solve all the problems. Mr. Reich suggested moving and lengthening the pipe as a viable option and noted that the McCormick Taylor study showed that tunnel removes all of the water on Main Street. Mr. Reich suggested hardening the buildings to keep the historic character of town. He said that since many of them are wood frame, they could be fitted to have concrete floors. He suggested adding additional egress. He stated that he is in favor of the County purchasing the buildings to help these owners, but suggested the County could harden the buildings and rent them out to save the historic fabric of the town. Mr. Reich mentioned bypass options that other cities have done. He said that this has taken place too without a lot of data supporting it. He asserted that further study is needed.

Ms. Zoren concurred with Mr. Reich's comments. Ms. Zoren said that she has read every report done to date. She is concerned that it is actually 20% of Main Street vs. 5% of the District that is proposed to be demolished. She requested more information regarding how the County has exhausted every option before looking at demolition as the sole solution. Ms. Zoren asked if there have been any secondary opinions. She said the plan lacks creative solutions, and that once the buildings are lost, they are lost forever. She said the problem is coming from up the hill and she is concerned that not enough measures are being taken uphill. She requested studies look at ecology, the B&O, and said that maybe this has been done, but it hasn't been presented as factual information. She would like other options considered, such as more culverts or the removal of three or four buildings, instead of ten.

Mr. Roth stated that he agreed with Mr. Reich and Ms. Zoren's comments. He stated that based on information presented in McCormick Taylor report, he would not be in favor of a Certificate of Approval to take down any buildings at this time due to the need for more information. He said that tearing down the ten buildings would not have prevented the death in 2018. He said that other towns deal with risk using sirens and signs, rather than tearing buildings down. He said the flood mitigation plan starts with assumption of water levels and volumes of the 2016 flood, but doesn't give consideration to the reduction in hydrology that would result in the proposed mitigations plans for stormwater management. He suggested reducing development that creates more impervious surfaces and that the County buy parking lots to see if that will help. He said that he hasn't seen any consideration in reducing impervious surface in the watershed to keep flood waters from coming down in the first place. Mr. Roth suggested it would be reasonable for County to buy the buildings and stabilize them until such as time as other mitigations have been put in place but they should not be torn first. He further emphasized the need to add in pervious surfaces in watershed.

Ms. Tennor said her comments are based on the character of downtown and the disastrous effect that removal of that block of buildings would have driving down Main Street. She said that the ten buildings are the most visible. She appreciates the suggestions of salvaging or moving the most significant

buildings, but said the importance of these buildings are in the location they reside. She concurred with unintended consequences and the need to study more before destroying. Demolition should only take place when all other mitigation efforts have been eliminated through study.

Mr. Shad concurred with the other Commissioners. He disagreed that all options have been thoroughly vetted or reviewed, however, he agreed that it would be a good idea for County to buy the properties in question. He said the County shouldn't rush to start tearing things down, rather look at how these buildings can be stabilized. Mr. Shad suggested taking a serious look at the root cause of the problem, not only weather changes, but the overdevelopment in Tiber watershed area. He said that all of these factors have some impact on the water in the Tiber Hudson watershed area and that it has a cumulative effect.

Mr. Nichols said the County researched several other examples of towns and had communications with locations such as Waterbury, CT; Boone, NC; Big Thompson Creek, CO; Charleston, West Virginia; Indonesia and even Germany. Mr. Nichols shared during the CAG process there were ideas about the acquisition of buildings and that was included as part of the CAG report.

Mr. Nichols updated the Commission on the warning system - the FHWA program was mentioned earlier and the County did communicate back in September 2017 about that program, but was also working with Department of Homeland Security with their Flood Apex Program that has specific knowledge with these significant challenges. Prior to the May 2018 storm, the County was working with Homeland Security to understand the main issue of the impacts of these new storms on the watershed. The plan has been to install 48 stream gages throughout the watershed. He said the County has been working with the National Weather Service, and explained that County has been working with and coordinating with other National agencies to try and figure out the significant problem we have.

Mr. Nichols will provide information and more ideas as they are developed.

Mr. Nichols addressed the B&O Museum concerns points out the presentation provided to compare the modeling difference between no mitigation further up in the watershed compared to an expanded stream channel in the surrounding area around the B&O, there is very limited difference between the two so as far this increased threat, that is not something the models show. But Mr. Nichols says they will continue to work on the site of the B&O and what can be done.

Mr. Roth points out that the proposal to add a tunnel upstream would reduce the risk of the B&O and any approaches that reduce the amount of water from coming downstream would have a huge impact.

HPC-18-47 – 8390 Main Street and Ellicott Mills Drive right of way, Ellicott City

Certificate of Approval for exterior alterations.

Applicant: John Seefried, Howard County Department of Public Works

Background & Scope of Work: This property is located in the Ellicott City Historic District. The Applicant seeks retroactive approval for the removal of six trees greater than 12 inches diameter in breast height between 8444 Main Street and 8390 Main Street. The trees included three spruce and three hardwood trees. The application explains that the pipe under Ellicott Mills Drive failed during the May 27, 2018 flood. The three spruce and two hardwood trees were removed from the Wine Bin property because they contributed to the failure via piping and excess and dynamic load. One hardwood tree near the former Court House was removed because of its contribution to failure via piping and hydraulic overtopping. The application further explains,

“there were multiple safety hazards to life and property involved with trees in proximity of a drainage culvert. The roots weaken the bearing capacity of the soil around the pipe and when they eventually decompose, contribute to piping failure. In the event of flooding, large debris (cars and trees) becomes entangled. This blocks water, raises the floodplain water level and compounds the flood damage. Time was of the essence in removing the trees because the remaining pipe culvert is significantly damaged (and needs to be removed) and stabilization of the floodway is required to prevent further erosion of Main Street.”

Staff Comments: Chapter 9.B of the Guidelines states that work requiring a Certificate of Approval includes, “removing live trees with a diameter of 12 inches or greater 4.5 feet above ground level” and “installing or removing landscaped areas in plazas, parking lots, public parks or public rights-of-way. Major changes to the plantings in such landscaped areas, including planting or removing trees or large shrubs.”

Chapter 9.B recommends, “plant new trees and shrubs far enough from buildings to avoid moisture problems and damage to the buildings from falling limbs and roots as the plants grow.” The current guidelines do not adequately address the effect of the tree roots along the stone stream walls, and in this case, along underground utilities. If the application had come in for approval prior to the work being done, Staff would have recommended Approval as submitted because of the required engineering necessary for the repair of the Ellicott Mills Drive culvert and the widening of the stream channel in this area.

Staff Recommendation: Staff recommends approval as submitted.

Testimony: Mr. Shad swore in Mr. Seefried, Deputy Chief of the Bureau of Engineering from the Department of Public Works (DPW).

Mr. Seefried clarified the mistake of having 6 trees removed without getting approval from this Commission. He described their locations- there were five trees behind the Wine Bin and one adjacent to Ellicott Mills Road and the historic courthouse. Mr. Seefried stated the trees needed to be taken down due to the failed 400-foot aluminum arch pipe that washed out creating the chasm under Ellicott Mills Drive.

Mr. Shad stated that Mr. DeLuca was at the July HPC meeting with a powerpoint presentation discussing this project and he did not mention the removal of any trees, but within two weeks the trees were gone. Mr. Shad asked for clarification of the multiple safety hazards of life and property mentioned.

Mr. Seefried said there were three issues involved. The first issue was the piping which is the movement of the water outside of the pipe arch so that the roots contribute to that. First the roots create space and when the tree dies, that space is a problem for the water passing through. With any stormwater management facility in the County, you can't be within 20 feet of the toe of the embankment to contribute to the breach of the embankment. The second issue is the physical load of the trees on the culvert. The physical weight of multiple trees on top of the culvert is a problem as the culvert pipe is not designed for the weight of the trees. The third issue is the hydrologic overtopping. Mr. Seefried explained that anything caught in tree contributes to the weight over top leading to the failure. For the Ellicott Mills situation, when the pipe is failing, they lose the conveyance of the pipe and all the materials that fail are sent downstream as debris clogging the channel.

Mr. Shad said the trees have been there probably 30 to 50 years so he questioned the rational of them being an emergency that couldn't wait to come the Commission for approval. He questioned why this

wasn't brought to the HPC or even a call to HPC staff as emergency procedures are in place. Mr. Shad said that trees were cut down and no one was notified. Mr. Shad did not understand the urgency.

Mr. Seefried said the pipe that was 10 feet tall, 15 wide and 400 feet long and it catastrophically failed. He said that five of the trees need to be removed. He apologized for not knowing the protocol. As a professional engineer, he said the trees needed to be removed because of this failure of the pipe.

Mr. Roth asked if the pipe was removed. Mr. Seefried stated that half of the pipe has been removed. The area had to be stabilized but the rest of the pipe will be removed. He had not determined that the last 200 feet of pipe was failing as he could not see the bottom of the pipe after the flood but when he inspected the remaining 200 feet, he stated it had to be replaced.

Mr. Shad stated he did not understand how the plan changed dramatically to the point of emergency tree removal. Mr. Seefried gave insight that he had not determined by the July meeting that the bottom of the pipe had failed.

Mr. Roth confirmed that the pipe had to be removed and the trees had to be removed as a result being that they were over top of the pipe.

Mr. Shad stated that he was told the plan would not change drastically from the July meeting but it the plan has changed dramatically without notification.

Motion: Mr. Roth moved to retroactively Approve the application as submitted. Mr. Reich seconded. Mr. Shad opposed. The motion was approved 4 to 1.

Ms. Tennor moved to adjourn. Ms. Zoren seconded. The motion was unanimously approved and the meeting was adjourned at 11:48 pm.

*Chapter and page references are from the Ellicott City or Lawyers Hill Historic District Design Guidelines.

Allan Shad, Chair

Beth Burgess, Executive Secretary

Samantha Holmes, Preservation Planner

Lisa Kenney, Recording Secretary